

**COURTESY COPY**

JAMES ROBINSON,

Plaintiff,

-against-

NEW YORK CITY DEPARTMENT OF CORRECTIONS,  
*et al.*,

Defendants.

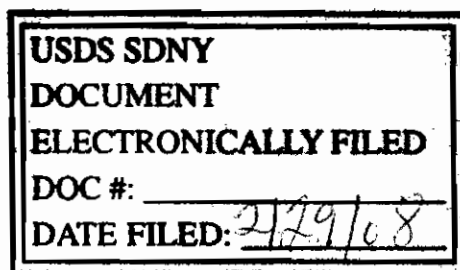
**NOTICE OF MOTION TO  
DISMISS**

07 Civ. 5888 (HB)

**RECEIVED**  
FEB 01 2008

HAROLD BAER  
U.S. DISTRICT JUDGE  
S.D.N.Y.

PLEASE TAKE NOTICE, that upon the accompanying memorandum of law in support of their motion to dismiss dated January 29, 2008, the Declaration of David A. Rosinus Jr., dated January 29, 2008, the New York City Department of Correction, Department of Correction Commissioner Martin Horn, Warden Michael Hourihane, and Warden Sandra Langston, by their attorney Michael A. Cardozo, Corporation Counsel of the City of New York, will move this Court, before the Honorable Harold Baer at the United States District Courthouse for the Southern District of New York, 500 Pearl Street, New York, New York, 10007, on February 14, 2008, for an order granting defendant's motion to dismiss pursuant to Rule 41(b) of the Federal Rules of Civil Procedure on the grounds that plaintiff has failed to prosecute this action, and for such other and further relief as the Court may deem just and proper.



*Motion granted  
and dismissed the clerk  
is instructed to remove the  
matter from my docket & close the  
case.*

SO ORDERED:  
Harold Baer, Jr., U.S.D.J.  
Harold Baer, Jr., U.S.D.J.  
2/28/08

**PLEASE TAKE FURTHER NOTICE**, that answering papers, if any, must be

served on the undersigned within ten (10) business days after service of these moving papers and that replies, if any, must be served within five (5) business days after service of answering papers.

Dated: New York, New York  
January 29, 2008

MICHAEL A. CARDOZO  
Corporation Counsel of the  
City of New York  
Attorney for Defendant  
100 Church Street, Room 2-113  
New York, New York 10007  
(212) 788-0923

By: 

Martha A. Calhoun (MC 5009)  
Assistant Corporation Counsel

TO: James Robinson  
Plaintiff *Pro Se*  
152 Tapscott Street  
Brooklyn, New York 11212

Endorsement:

Motion granted case dismissed - the Clerk is instructed to remove the matter from my docket and close the case.